SeaPort Enhanced (SeaPort-e)

Operations Procedures

Purpose

- **Due to the decentralized ordering of services by all Virtual SYSCOM activities from SeaPort-e vendors, the need to establish overarching processes and common procedures is necessary to ensure consistency throughout the SeaPort ordering offices and to provide the maximum opportunity for competition**

Basic Ground Rules

Use of SeaPort-e

- SeaPort-e is a tool by which all activities can obtain cost effective services through competitive and efficient means. SeaPort-e is available for use in conducting competitive unrestricted procurements and also set-aside procurements within the small business, 8(a), Hubzone, and Small Disadvantaged Veteran Owned small business sub-categories
- Small Business Innovative Research (SBIR) requirements cannot be procured through SeaPort-e
- Neither Time and Material orders nor undefinitized orders are permitted
- All potential SeaPort-e task orders shall offer a fair consideration/opportunity to all offerors in the appropriate zone*
  - *In the event a valid basis to not offer a fair opportunity exists, an alternative (non-SeaPort-e) contracting vehicle will be used. In accordance with the acquisition strategy, only if no other viable contracting vehicle exists and written concurrence of the SeaPort PM has been obtained, may a solicitation be released through SeaPort that does not provide for fair consideration in the applicable zone

Ombudsman

- Each Ordering Office shall appoint an Ombudsman. The Ombudsman will review complaints from the contractors and ensure that all contractors are afforded a fair opportunity to be considered, consistent with the procedures in the contract
- It is recommended that either the Competition Advocate or the Deputy for Small Business be appointed as Ombudsman
- The Overarching Ombudsman resides in NAVSEA 02. The Overarching Ombudsman will review complaints from SeaPort-e contractors after the individual site Ombudsman has reviewed without resolution
- The Overarching Ombudsman will ensure that all contractors are afforded a fair opportunity to be considered, consistent with the procedures in the contract
- The latest version of the SeaPort-e Zone Coordinator and Ombudsman list is available on the SeaPort-e Vendor Portal within the Help menu.

Administration

- **Only the SeaPort-e Contracting Officer may make modifications to the SeaPort-e contract or represent the Navy on its behalf in regards to these contracts. The Deputy Commander/Executive Director for Contracts (SEA 02/02B) shall appoint the SeaPort-e Contracting Officer. The SeaPort-e Contracting Officer shall monitor the MAC ceilings to ensure that task orders are not placed in excess of the ceiling**

Small Business Targets

- The NAVSEA Director for Small Disadvantaged Business Utilization (SADBU) shall monitor overall SeaPort-e contract actions against the SeaPort-e contracts' small business targets (both for prime obligations and subcontracting)

- Each activity's Deputy for Small Business shall work closely with the NAVSEA SADBU and the relevant Zone Coordinator to ensure that small business participation is maximized

Zone Coordinator

- Each of the seven zones shall have a Zone Coordinator (ZC) to serve as a local SeaPort-e Point of Contact. The ZC may be from any of the ordering activities within the zone and shall be appointed by the SeaPort-e PM
- The ZC shall be the zone's representative on the SeaPort-e Council (SC)
- The ZC shall act as a liaison with the Zone's vendor community, and provide the primary input to the SC in regards to the opening of rolling admissions for that particular zone
- The Zone Coordinator shall also establish a Zone Business Council to provide a forum for industry involvement and feedback
- The latest version of the SeaPort-e Zone Coordinator and Ombudsman list is available on the SeaPort-e Vendor Portal within the Help menu.

SeaPort-e Council

- **The SeaPort-e Council (SC) shall be the board by which programmatic decisions will be made. Membership shall be made up of each Zone Coordinator, the SeaPort-e Contracting Officer, SeaPort-e Program Manager or his designee, and any other member invited by the SC**

- **The SC shall serve as the Award Term Board. The SC shall also be the board by which decision to enter into rolling admissions is made**

- **The SC shall convene not less than every six months, but need not meet in person**

Rolling Admissions

- **Annually, the Contracting Officer and the SeaPort-e council shall convene to review the performance of the SeaPort-e program in accordance with the Rolling Admissions clause**

- **The Rolling Admissions criteria are:**
  - **Quality of performance by each IDIQ holder**
  - **The number, value and complexity of work assigned to each holder**
  - **Amount of competition achieved**
  - **Internal transaction cost for issuing each task order**
  - **The amount of small business participation**
  - **Revise scope of the Statement of Work and the ceiling amount**
  - **Additional Ordering Offices**

Task Order Managers

- **Under a traditional contract, the Contracting Officer may appoint a Contracting Officer's Representative. Under SeaPort-e, the Contracting Officer for each task order shall appoint a Task Order Manager (TOM)**
- **The TOM must be identified in the Portal and in the Task Order for which they are being appointed. A modification must be issued to change the TOM**
- **In the event the TOM will be performing any of the functions traditionally performed by the COR, appointment of the TOM must be in compliance with the procedures in place at the TOM's requiring activity for appointing CORs, (including training, certification, appointment letters, etc.)**

Notification of Problems

- **Day to day portal issues shall be addressed to the Local Administrator. The Local Administrator can do the following:**
  - **Reset passwords**
  - **Unlock/lock account access**
  - **Establish and modify system roles**
- **Unresolved issues shall be referred to the SeaPort-e Help Desk support provided by Aquilent – contact information: navseasupport@aquilent.com**
- **The Zone Coordinator shall be the primary collection point for the identification of desired Portal modifications or chronic problems**

SeaPort Portal

- **The SeaPort Portal shall be used to place all SeaPort-e Task Orders**
  - **In the event that the Portal is technically unavailable, the Zone Coordinator and the SeaPort-e Helpdesk should be promptly notified**
  - **In the unlikely event that the SeaPort Portal is unavailable, proposals may be submitted in accordance with clause H.5 of the SeaPort-e contract.**

Subcontractor Teaming

- **The SeaPort PCO is the only individual authorized to add team members to the SeaPort-e MACs.**
- **Requests to add new team member(s) may be issued via the Vendor Portal**
  - **Only existing Prime Contractors may issue a teaming request.**
  - **This can be accomplished at any time by clicking on the "Create Teaming Request" button found on the "Teaming" tab within the SeaPort-e Vendor Portal.**
  - **This capability is available only to authenticated Vendor Portal users who have the "Vendor Admin" role**

Solicitations

- **Task Orders shall be solicited in the zone corresponding to the principal place of performance for the services acquired**
  - **Section M of the solicitation should clearly identify the zone solicited**
  - **Determination as to which zone should be solicited for a requirement is not governed by the location of the ordering office, but instead the principal place of performance**
  - **For Task Order requirements OCONUS, the zone solicited will be the zone in which the activity resides (ordering office) who has the Task Order requirement**
    - **Ex. → If the principle place of performance is England and the Task Order requirement originates at NSWC Carderock, Zone 2 would be solicited**
- **Review of the solicitation by the cognizant Legal Counsel should occur prior to release of the solicitation and for NAVSEA activities must occur prior to receipt of proposals. For non-NAVSEA activities, the requirement for a legal review shall be in accordance with local procedures**

SB Review and Set Aside

- **The activity's Deputy for Small Business must review each requirement package**
  - **The review must take place prior to posting the solicitation to the portal**
  - **This review shall aid the Contracting Officer in determining whether a set aside for small business (i.e., 100% SB, SDVOSB, etc.) should be made**
  - **This review and Contracting Officer determination shall be documented in the SeaPort Portal Small Business Area, which takes the place of the DD 2579-Small Business Coordination Record**

- **Any set asides for Small Business, 8(a), Hubzone, or Small Disadvantaged Veteran Owned Service Disabled Small Businesses shall clearly identify that fact in the Task Order Solicitation. For awards made using set-aside procedures prior to NOV 2005, please notify navseasupport@aquilent.com at award to ensure proper coding of the DD350**

- **The SeaPort-e Program Manager has determined that the SeaPort-e Cascading Set-Aside feature is not presently required for the program to achieve its overarching program related small business goals. Therefore, until further notice, the use of this feature is not authorized within SeaPort-e. The SeaPort procurement system has been modified to deactivate the related system functionality. If the SeaPort-e Program Manager determines at some future date that it is necessary to reactivate the Cascading Set-aside functionality, SeaPort-e Procuring Contracting Officers (PCOs) will be notified via e-mail**

Promoting Small Business Participation at the Subcontract Level

- Large Business prime contractors within SeaPort-e are contractually required to subcontract a minimum of 20% of the dollars obligated under their contract to small business concerns
- Consistent with this prime contract threshold, a SeaPort-e program goal had been established for 20% of total dollar obligations under SeaPort-e large business prime contracts to be subcontracted to small business concerns
- Results to date have been as follows: Inception of SeaPort-e through 31 March 2005 – 21%, Inception of SeaPort-e through 31 March 2006 – 16%
- To assist both the SeaPort-e Program and the SeaPort-e large business prime contractors in achieving their respective program and contract level small business subcontracting goals, U.S. Navy ordering offices are encouraged to actively promote small business subcontracting participation at the first tier subcontract level on non-small business set-aside SeaPort-e procurements
- One approach that has been effectively employed within the SeaPort program has been through the utilization of a technical evaluation sub-factor that requires large business prime contractors to demonstrate that a minimum percentage of the total dollars obligated under their prospective task order would represent awards to small business concerns at the first tier subcontract level

Promoting Small Business Participation at the Subcontract Level (cont.)

- The stated percentage may be derived through a review and roll-up of data contained within the historical SF 294 reports associated with the population of requirements comprising the Statement of Work to be solicited, with the intent being to both preserve and enhance the level of small business participation associated with the given requirement
- In addition to the "Pass/Fail" aspect of large businesses demonstrating their achievement of the stated minimum percentage of first tier small business subcontracting participation, the evaluation factor may also provide for additional discrimination amongst the prospective large business offerors by requiring their proposals to address:
  - Small Business sub-category achievement against goals recommended within the RFP
  - The reasons for, and advantages of selecting the particular small business subcontractors being proposed
  - How the specific tasks to be accomplished by small business subcontractors represents "Meaningful Work" that is critical to the success of the overall effort, and how the respective small business subcontractor's accomplishment of the effort will broaden the contractors level of capability and facilitate their becoming a more valued future source to the U.S. Navy
- Sample Section L and M language is available for a solicitation contemplating a single award at Exhibit R1, and for a solicitation contemplating a multiple award at Exhibit R2

Security Concerns

- Facility clearances, if required, will be handled at the task order level, not at the basic IDIQ MAC contract level. The government ordering office, or cleared contractor in the case of subcontracting, is responsible for requesting the sponsorship letter from Defense Security Service (DSS) for new facility clearances
- All classified task orders will require a facility security clearance issued by the DSS. The security classification and guidance of classified task orders will be specified in the Contract Security Classification Specification DD Form 254. The DD Form 254 will be prepared by the ordering activity and issued with the resulting task order
- Unclassified task orders do not require a facility clearance issued by DSS, nor a DD Form 254

Security Concerns (cont.)

- Contractor personnel shall be required to have a security clearance at the level required for each specific task order
- The planned utilization of non-U.S. Citizens in task order performance must be identified by name and country of citizenship in the task order proposal. Foreign Nationals shall not be allowed access to classified or critical program information unless approved on a case by case basis by DSS
- Since all SeaPort-e Task Order Solicitations are posted on the SeaPort-e Portal, Task Order Solicitations shall not contain any classified material. The Ordering Activity's Local Security Managers should be consulted if there is a question relating to security issues

VS Mandatory Use of SeaPort-e

- **VS MOA No. 19 dated 05 OCT 2004 designates SeaPort-e as the mandatory acquisition vehicle to procure contractor support services in the following functional areas:**
  - **Engineering**
  - **Financial**
  - **Program Management**
- **The MOA lists three circumstances when the use of SeaPort-e is not mandatory:**
  - **Existing VS contractor support services contracting vehicles will be authorized for continued use until the expiration of their contract period of performance, which can include all existing contract options periods**
  - **The contractor support services required do not fit into the Engineering, Financial, and Program Management areas**
  - **When use of an alternate vehicle is in the best interest of the Government**

VS SeaPort-e Migration Plan

- It is not necessary to terminate existing contracts. Efforts should be migrated at logical breakpoints:
  - All new starts and follow-on's should be placed under SeaPort-e as they are identified
    - A top priority is to convert all GSA efforts to SeaPort-e (Except Sole Source 8(a) set asides, SBIR's and other sole source awards)
  - Existing contracts with less favorable terms and conditions than SeaPort-e should be transitioned in lieu of exercising the next option
  - Other contracts approaching the end of their period of performance

VS SeaPort-e Usage

- **Each VS member should utilize their own internal procedures, consistent with the VS Mandatory Use of SeaPort-e policy VS SeaPort-e Policy Migration Plan policy found on the previous two slides, to govern and monitor SeaPort usage**
- **As a point of reference, NAVSEA has taken the following approach:**
  - **All new start service acquisitions shall use SeaPort as the tool to contract for these services**
  - **NAVSEA Activities requesting a waiver from the use of SeaPort shall prepare the following:**
    - **NTE 1 page discussion that contains a description of what's being contracted for, the potential value of the acquisition, reason(s) why SeaPort cannot be used, and (if applicable) a plan to ultimately move the work to SeaPort**
    - **The request must be reviewed by the SeaPort Program Manager and approved by the NAVSEA Deputy Commander/Executive Director for Contracts**

Task Order Period of Performance

- The period of performance of a Task Order awarded under the SeaPort-e Multiple Award IDIQ contracts may not exceed 5 years, including all options and Award Terms

Common Processes

Purchase Request

- **Purchase Request Checklist – A checklist may be used by acquisition personnel to ensure that the necessary information has been provided to adequately prepare a request for proposal under the SeaPort-e MAC**

Acquisition Planning

- **All activities will provide notification to SeaPort-e Contractors as early as practicable using the methods below:**
  - **<u>Advance Planning Matrix</u> – The matrix uses a POA&M chart that is non-binding and includes tentative milestones throughout the acquisition process that both the Government and Contractors may use for planning purposes.**
    - **The planning matrix will be utilized for Task Orders with an estimated value of $1 million or more.**
    - **The matrices may be posted to the SeaPort-e Vendor Portal by creating an "Advance Notice/Draft" event.**
    - **The incumbent currently meeting the requirement and the contract number will be identified in the notice if applicable. This posting will reflect the SADBU review and Contracting Officer concurrence as soon as practicable**

Acquisition Planning (cont.)

- **Pre-Solicitation Notice**
  - **SeaPort-e Contracting Offices when appropriate will post pre-solicitation notices on upcoming procurements to the SeaPort Bid Event Site under the event sub-category entitled “Advance Notice/Draft”**
  - **Pre-Solicitation notice should contain a brief synopsis of the requirement in a manner similar to a synopsis posted to the “FedBizOpps” site**
  - **The name of the contractor currently performing the service and the applicable contract number will be identified within the notice**
  - **The pre-solicitation notice shall be reviewed by the responsible Contracting Officer and should be reviewed by the Small Business representative prior to posting to the SeaPort Bid Event Site**

Acquisition Planning (cont.)

- **Draft Solicitations**
  - SeaPort-e Contracting Offices shall issue draft solicitations as considered necessary by the Contracting Officer
  - Activities will issue draft solicitations to the SeaPort Bid Event Site under the sub-category entitled “Advance Notice/Draft”
  - The name of the contractor currently performing the service and the applicable contract number will be identified within the “General Information” section of the draft solicitation
  - In the event that a given requirement represents a “New Requirement,” such information shall also be provided within the “General Information” section of the draft solicitation
  - The draft solicitation shall be reviewed by the responsible Contracting Officer and Small Business representative prior to its posting to the SeaPort Bid Event Site. Additionally, legal counsel review should be obtained prior posting

Fair Opportunity to be Considered

- **All potential SeaPort-e task orders shall offer a fair consideration/opportunity to all offerors in the appropriate zone***
  - ***In the event a valid basis to not offer a fair opportunity exists, an alternative contracting vehicle will be used. In accordance with the approved acquisition strategy, only if no other viable contracting vehicle exists and written concurrence of the SeaPort-e PM has been obtained, may a solicitation be released through SeaPort-e that does not provide for fair consideration in the applicable zone**
- **All SeaPort-e solicitation and procurement related notices shall clearly identify whether the applicable requirement shall be solicited in an unrestricted or set-aside manner**
  - **SeaPort-e set-aside alternatives include: Small Business, 8(a), HubZone or Service-Disabled Veteran-Owned Small Business**

Solicitation Development

- **Identification of Incumbent in Request for Proposal on "Follow-on" Task Orders:**
  - **The name of the contractor(s) currently performing the service to be contracted and the applicable contract number(s) shall be identified within the "General Information" section of the solicitation**
  - **If the services to be procured represent a "New Requirement", this information should also be identified within the "General Information" section of the solicitation in order to maximize competition and minimize related vender questions from the SeaPort-e community**

Solicitation Development (cont.)

- **Location of the Statement of Work**
  - Statement of Work (SOW's) should be included within the requirements section of the SeaPort portal (Section C) in lieu of being included as a solicitation attachment
- **Response to Prospective Offeror's Questions**
  - Offerors may pose questions on the RFP via the bid event site
  - The Ordering Office is notified of incoming questions and shall review & post a response via the bid event site
  - As appropriate, Contracting Officers shall incorporate changes to the RFP arising as a result of these questions and answers via a formal amendment to the solicitation

Solicitation Development (cont.)

- **Federal Supply Classification Code Management**
  - **To the extent practicable, Statements of Work within SeaPort-e Task Orders should be segregated by functional task areas that are aligned with appropriately described CLINs/SLINs. The attention to such structural alignment within the solicitation, and resultant task order, will facilitate the proper selection of the Federal Supply Classification (FSC) Code that describes the predominate service based on dollar value when completing Individual Contracting Action Reports (DD 350s) on SeaPort-e task orders**
  - **To enhance the quality of FSC data reporting within the SeaPort-e Program, Contracting Officer's and Contract Specialists should be diligent in their approach for determining the appropriate FSC Code that represents the predominate service based on dollar value, and should refrain from defaulting to FSC Code R499 (other professional services) to the extent possible**

Solicitation Development/Review

- **Office of Counsel Review of Solicitations**
  - **Solicitations issued under SeaPort-e Multiple Award ID/IQ contracts should be reviewed prior to submittal to the portal and shall be reviewed prior to receipt of proposals by a Legal Office Representative of the SeaPort-e Task Order Contracting Office for NAVSEA activities. For non-NAVSEA activities, Legal review shall be in accordance with local procedures**

- **Deputy for Small Business (DSB) Review of Solicitations**
  - **Solicitations issued under SeaPort-e Multiple Award ID/IQ contracts shall be reviewed prior to submittal to the portal by the DSB of the SeaPort-e Task Order Contracting Office**

Proposal Requirements

- **Section K Certifications**
  - **SeaPort-e Contractors submitting proposals in response to task order solicitation requirements should not be required to recertify unless their certifications made at the time of their SeaPort-e base contract award were to become inaccurate based on subsequent events. It is noted that SeaPort-e small business related certifications made at the time of their SeaPort-e base contract award remain valid through the completion of the base period of their SeaPort-e contract, unless a firm's size status is changed as a result of a merger or acquisition**
- **Contractor Resume Content**
  - **SeaPort-e solicitations shall require only a limited number of resumes, if any. SeaPort-e solicitations shall not mandate a specific resume format, but shall specify that the following minimum information be contained within contractor submitted resumes:**
    - **NTE 2 pages**
    - **Employee name**
    - **Years of professional experience**
    - **Current position/title**
    - **Educational history**
    - **Chronology of professional experience**
    - **Current level of security clearance**
  - **Specific task related, relevant information should be included in the offerors technical proposal**

Proposal Response Times

- **Time for Submission of Proposals:**
  - **The following guidelines have been established to promote competition:**
    - **Task Orders with an estimated value less than $1 million and/or less than two years performance – minimum of 10 working days**
    - **Task Orders with an estimated value of $1 - $50 million and greater than two years performance – 11-24 working days**
    - **Task Orders with an estimated value greater than $50 million and greater than two years performance – minimum of 25 working days**

Proposal Response Times

- **Consideration of late proposal submissions:**
  - **The following guidelines have been established with regard to contractor bid submissions:**
    - **All proposals for SeaPort Task Order Solicitations shall be submitted electronically via the portal, and before the closing date and time specified in the Solicitation**
    - **In the unlikely event the SeaPort system is not operational, experiences technical difficulties, or a contractor is temporarily unable to access or use the system, the Contractor shall immediately notify the Contracting Officer. This Notification must occur prior to the proposal submission deadline. The Contracting Officer shall allow manual submissions of written proposals in the event of technical difficulties of which they have been made aware.**

Proposal Development

- **Release of Task Order Solicitations/Closing Date and Time for Task Order Solicitations**
  - **In order to receive maximum competition during the fair consideration process, as a general rule Task Order Solicitations should not be issued after 1400 local time on Fridays. Further, Task Orders solicitations should not have a closing date that falls on a day after a Federal Holiday**
- **Maximum Fee**
  - **The maximum fee proposed during the MAC process only applies to cost plus fixed fee orders. In the case, of cost-plus award fee orders, Contracting Officers should provide for award fees that are reasonable and provide the proper incentive for high quality support**

Proposal Development

- **Event Description Uniformity**
  - **Per industry feedback, it is recommended that the Event Description supplied when creating a bid event provide a standard level of data, to potentially include as applicable:**
    - **Description of the work to be performed**
    - **Requiring activity**
    - **Breadth of services to be performed**
    - **Estimated level of effort**
    - **Period of performance**
    - **Anticipated award date**
    - **POC phone & email**
    - **Incumbent information**
  - **It is also recommended that Event Descriptions match or closely correlate with those provided in the Advanced Notice stage.**

Amendments and Modifications

- Solicitation amendments and Task Order modifications developed within the SeaPort Buy Site represent “conformed” versions of the respective solicitation and Task Order
- Therefore, to preclude the need for both government and contractor personnel to perform “side-by-side” reviews of entire conformed solicitations and Task Order documents,SeaPort-e Contracting Offices will include within the “General Information” section of each SeaPort-e solicitation amendment or Task Order modification, a summary of changes made within the respective amendment or modification
- The solicitation amendment summary of changes will be deleted at time of Task Order award
- The type of modification and authority should be identified and cited (e.g., supplemental agreement) in the Task Order modification as appropriate

Proposal Development

- **Use of Oral Proposal Technique**
  - **In an attempt to gain maximum insight into offerors proposals and decrease cycle time, Contracting Officers are encouraged to make use of Oral Proposal Techniques if deemed practicable**
  - **A sample solicitation that requires the submission of oral proposals is referenced in the last slide within the ConOps, and is available for viewing on the SeaPort-e Buy Site under the ConOps Tab**

Proposal Submission

- **Submission of Proposals in the SeaPort Portal**
  - **Proposals from both prime and subcontractors shall be submitted via the portal unless the SeaPort Bid Site is down in accordance with H.5 of the SeaPort-e contracts**
- **To avoid last minute bidding problems, Aquilent has provided the following guidance to vendors on the industry side of the portal:**
  - **“How to avoid last-minute bidding problems” (8/26/2005)**
  - **Please consider the following suggestion for avoiding last-minute bid submission problems:**
    Verify your account’s ability to submit the necessary bid information (either as a prime or a sub) well in advance of the event’s closing time. This may be accomplished through the following steps:
    1. Login to the portal and access the View Event Details page for the event on which you are considering bidding as a prime or a sub
    2. Click on “Place New Bid” in the Bids section of the page. This will open the Place New bids page
    3. Ensure that the prime company’s contract under which you are bidding (either your own as a prime, or another’s as a sub) appears in the “Prime” drop-down listing
    4. If you are bidding as a prime, ensure that the “Enter Pricing Info” button is visible and enabled. From here, you may simply hit the “Cancel” button to return to the previous page. If things do not appear as you believe they should, please let us know at navseasupport@aquilent.com”

Proposal Development

- Subcontractor cost data through portal
  - SeaPort-e Contracting Offices shall include within solicitations under the SeaPort-e MAC IDIQ contracts, language requiring subcontractors to submit their cost proposal under their prime contractor via the SeaPort Bid Event Site
  - The SeaPort Bid Event Site contains functionality that allows SeaPort-e subcontractors and consultants to submit their cost proposals under their respective prime contractor without the prime contractor being able to view or access this business sensitive information. However, only subcontractor or consultant team members of a prime contractor that have both a DUNS number and CAGE Code are provided the requisite SeaPort-e Vendor Portal privileges to submit their cost proposals in this

Proposal Development (cont.)

- In the event that a subcontractor or consultant included within a prime contractor cost proposal does not have a DUNS number and CAGE Code, these firms would be required to transmit their cost proposal in an appropriately password protected manner to their respective prime contractor, for inclusion within the prime contractor's proposal submission package within the SeaPort-e Vendor Site. Subcontractor or consultant submitting their password protected cost proposals through their prime contractor in this manner must ensure that the applicable passwords are appropriately communicated to the Contracting Officer or Contract Specialist responsible for the procurement

- It is noted that proposed subcontractor or consultant contribution to labor on procurements solicited on a cost basis should be incorporated under the labor CLINs/SLINs as opposed to under the ODC CLINs/SLINs, which under the SeaPort-e contracts are "cost only" and therefore non-fee bearing

Proposal Evaluation

- **Accounting System Reviews:**
  - **It is the contracting officer's responsibility to verify that the contractor being awarded a task order within SeaPort maintains an approved accounting system.**
  - **Prior to executing a task order, check with the cognizant DCMA to confirm that the latest accounting system audit report that has been issued for the prospective vendor is acceptable.**

Proposal Evaluation

- **Technical Evaluation**
  - **In performing the Technical Evaluation of proposals submitted in response to SeaPort-e solicitations, Contracting Offices will utilize "strength" and "weakness" based approach and will assign Technical and Past Performance grades to proposals as identified within the SeaPort Standard Rating Guide (page 55). This approach facilitates the process of providing unsuccessful offerors with an "Award Determination Document" upon post-award briefing requests from offerors**

Proposal Evaluation (cont.)

- **SeaPort-e Prime Contract Rate Caps**

  Each MAC includes a provision that caps:

  - **Fee on CPFF orders**
  - **Pass through amounts that prime contractors add to subcontractor costs**
  - **Escalation**

Proposal Evaluation (cont.)

- **Fee Caps**
  - **Each MAC includes a provision that caps fee on CPFF orders. The MACs do not include a maximum fee for CPAF orders.**
  - **When evaluating cost proposals for a competitive CPFF task order, the Government should ensure that each offeror's proposed fee does not exceed the fee cap included in the offeror's MAC.**
  - **Prime contractor fee on subcontractor price should be included in the fee column (rather than the cost column) of Section B of each task order.**
  - **The SeaPort-e Governance Team has developed a "Cost Summary Template" (see CONOPS Attachment Q) to incorporate standardization of cost proposal submission and to serve as an aid for Government users to evaluate fee and pass through.**

Proposal Evaluation (cont.)

- **Pass Through Cap**
  - **Pass through is defined in the Section H Savings Clause as the cumulative amount of the two elements listed below divided by the price paid to the subcontractor or the vendor:**
    1) **any and all indirect costs applied by a prime contractor to subcontractor effort including, but not limited to, program management, subcontract management, invoice processing, Quality Assurance, overhead, material handling charges, G&A, burdens and mark-ups; and**
    2) **any and all prime contractor profit or fee applied to subcontractor price**
  - **The Pass Through Cap specified in each IDIQ MAC does not apply to pass through applied to Other Direct Costs (ODCs).**

Proposal Evaluation (cont.)

- **The proposal evaluation process should include verification that each proposal adheres the rate caps specified in the applicable MAC. This should be accomplished through the following 3-step process:**
  - **Step 1 - Pass Through Analysis:** Verify that proposed pass through values (which includes all adders and any prime contractor fee applied to subcontractor labor cost plus fee or price) do not exceed the cap specified in the MAC. All SeaPort-e MACs have a pass through cap of 8%.
  - **Step 2 – Fee Analysis:** Verify that the prime contractor's proposed fixed fee does not exceed the fixed fee rate cap specified in the MAC. If the proposal is not on a CPFF basis, this step is not applicable. **
  - **Step 3 – Escalation Analysis:** Verify that the prime contractor's proposed escalation does not exceed the escalation cap specified in the MAC. **

    ** Fee and escalation cap values for each SeaPort-e prime contractor are listed in CONOPS Attachment R.

Proposal Evaluation (cont.)

- **Other Direct Costs (ODC):**
  - **CLINs/SLINs for ODC's are Non-Fee Bearing**
  - **CLINs/SLINs for ODC's may include applicable indirect cost elements such as G&A, and Material and Handling, but may not include fee.**

Task Order Award

- **Notification of successful offerors**
  - **The successful offeror will be notified via a system generated e-mail upon the award of each SeaPort-e task order. However, it is recommended that the Contracting Officer responsible for a given procurement provide notification to the successful offeror via an e-mail to the representative identified within the offeror's proposal, in a manner comparable to the "Award Notification to Successful Offeror" sample referenced within the last page of the ConOps, and available for viewing on the SeaPort-e Buy Site under the ConOps Tab**
  - **Upon request the successful offeror will be provided an "Award Determination Document"**
- **Contract announcements are not required for Task Order Awards**
  - **See DFARS 205.303 Announcement of Contract Awards**

Task Order Administration

- **DD350's will be executed in the SeaPort-e Portal**
- **Bilateral modifications – changes to task orders that require the execution of bilateral modifications to SeaPort-e Task Orders shall obtain the applicable contractor's electronic signature as follows:**
  - **SeaPort-e Contracting Officer prepares draft modification. The modification should cite the proper authority under which the modification is being executed (i.e. supplement agreement)**
  - **SeaPort-e Contracting Office posts draft modification to the SeaPort Bid Event Site under the sub-category entitled "Task Order/Mod" and sends a message to the applicable contractor via the SeaPort Bid Event Site**
  - **The contractor should communicate directly with the Contracting Officer for review and comment**
  - **The applicable SeaPort-e contractor downloads, reviews and re-uploads the draft modification document to the SeaPort Bid Event Site triggering the electronic signature functionality within the SeaPort Bid Event Site**
  - **SeaPort-e Contracting Officer completes the DD350 panel, executes the modification and SeaPort feeds the executed document to NAFI for distribution**

Task Order Administration (cont.)

- PPIRS will be submitted at the MAC level by the SeaPort-e PCO
- Each individual Task Order will have its own Task Order Performance Evaluation (TOPE) completed throughout the period of performance by the TOM
  - The TOM assigned to the task order will be automatically notified prior to the end of the annual evaluation period
  - Individual Task Order PCOs must ensure that the TOM assigned is current within the system and that TOPE is submitted in a timely manner
    - Changes to TOMs must be accomplished with Task Order modifications